

## II. REMARKS

### Preliminary Remarks

The applicant would like to thank the examiner for the indication of allowable subject matter in claims 82 to 85. Further, the examiner objected to claims 37 to 40, 45, 47, 59 to 61, and 73 to 75 as being dependent on a rejected base claim. The examiner indicated, however, that these claims would be allowable if rewritten in independent form. Claims 37, 45, 47, 59, 73, and 74 are rewritten in independent form and the remaining claims are amended to depend from the newly independent claims. Therefore, the applicant respectfully requests withdrawal of this objection.

Upon entry of this amendment, claims 33, 37 to 41, 44 to 54, 57, 59 to 62, 65 to 68, 71, and 73 to 94 are pending, of which claims 37, 45, 47, 59, 73, and 74 are independent. Claims 33, 37, 41, 44 to 48, 50 to 54, 57, 59, 62, 65 to 68, 71, 73, 74, and 76 to 81 are amended; claims 1 to 32, 34 to 36, 42, 43, 55, 56, 58, 63, 64, 69, 70, and 72 are canceled; claims 86 to 93 are new. Support for the claim amendments can be found in the specification and claims as originally filed. The limitations of the new claims is equivalent to the limitations of the previously canceled claims, as shown below. Therefore, the applicant believes that no new matter is added.

New claim number	Canceled claim number
86	34
87	35
88	36
89	42
90	43
91	58
92	63
93	64
94	72

This response is filed within the shortened statutory period for response, no fee due, and is accompanied by a check in the amount for additional independent claim

fees. The applicant respectfully requests reconsideration and allowance of the present application.

### Patentability Remarks

#### *Rejections under 35 U.S.C. §102 –*

Claims 33, 57, and 71 were rejected under 35 U.S.C. §102(b), as being anticipated by Svinarchuk (*J. Biol. Chem.* **270(23)**, 14066 - 14071, 1995). The applicant respectfully traverses in view of the preceding claim amendments and succeeding remarks.

Claims 33, 57, and 71 are amended to depend from claims 37, 59, and 73 respectively. Claims 37, 59, and 73 are newly independent claims, which the examiner indicated as allowable. As claims 33, 57, and 71 are dependent from, and further limit, allowable independent claims, these claims should also be allowable. The applicant respectfully submits that claims 33, 57, and 71 are not anticipated by Svinarchuk and respectfully requests withdrawal of this rejection.

Claims 33, 41, 44, 48 to 54, 57, 62, 65 to 68, 71, 76 to 81, were rejected under 35 U.S.C. §102(e), as being anticipated by Ecker *et al.* (U.S. Pat. No. 5,641,625). The applicant respectfully traverses in view of the preceding claim amendments and succeeding remarks.

Claims 37, 45, 47, 59, 73, and 74 are rewritten in independent form. Claims 33, 41, 44, and 48 to 54 are amended to depend from claim 37. Claims 57, 62, 65 to 68 are amended to depend from claim 59. Finally, claims 71 and 76 to 81 are amended to depend from claim 73. The applicant respectfully submits that claims 33, 41, 44, 48 to 54, 57, 62, 65 to 68, 71, and 76 to 81 are not anticipated by Ecker *et al.* and request withdrawal of this rejection.

Claims 33, 44, 46, 48, 49, 53, 54, 65 to 68, and 78 to 81 were rejected under 35 U.S.C. §102(e), as being anticipated by Carlsson *et al.* (U.S. Pat. No. 6,020,126). The applicant respectfully traverses in view of the preceding claim amendments and succeeding remarks.

As indicated previously, (1) claims 37, 45, 47, 59, 73, and 74 are rewritten in independent form, (2) claims 33, 41, 44, and 48 to 54 are amended to depend from claim 37, (3) claims 57, 62, 65 to 68 are amended to depend from claim 59, and (4) claims 71 and 76 to 81 are amended to depend from claim 73. The applicant respectfully submits that claims 33, 44, 46, 48, 49, 53, 54, 65 to 68, and 78 to 81 are not anticipated by Carlsson *et al.* and request withdrawal of this rejection.


### **III. CONCLUSION**

In view of the amendments and remarks above, the applicant respectfully submits that this application is in condition for allowance and request favorable action thereon.

In the event this response is not timely filed, the applicant hereby petitions for an appropriate extension of time. The fee for this extension, along with any other additional fees which may be required with respect to this response, may be charged to Deposit Account No. 01-2300, referencing Attorney Docket No. 108382-08067.

Respectfully submitted,

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